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CLERK US DISTRICT COURT  
DISTRICT OF ARIZONA  
**VICTIM**

7 IN THE UNITED STATES DISTRICT COURT  
8

9 FOR THE DISTRICT OF ARIZONA

10 United States of America,

11 Plaintiff,

12 vs.

13 JOHN PETER VITALE,

14 Defendant.

CR 15- 850 TUC

INDICTMENT

Violations:

18 USC §§ 2252(a)(2) and (b)(1)  
(Distribution of Child Pornography)  
Counts 1 through 3

18 USC §§ 2252A(a)(5)(B) and (b)(2)  
(Possession of Child Pornography)  
Counts 4 and 5

18 USC §§ 2252(a)(2) and (b)(1)  
(Receipt of Child Pornography)  
Count 6

19  
20 THE GRAND JURY CHARGES:

21 COUNT ONE

22 **DISTRIBUTION OF CHILD PORNOGRAPHY**

23 On or about June 3, 2013, in Tucson, in the District of Arizona, JOHN PETER  
24 VITALE, using any means or facility of interstate or foreign commerce, did knowingly  
25 distribute child pornography, that is, visual depictions, the production of which involved  
26 the use of minors engaging in sexually explicit conduct, as defined in Title 18, United  
27  
28

1 States Code, Section 2256(2), and which depicted such conduct, which had been shipped  
2 and transported in interstate or foreign commerce by means of computer, or otherwise,  
3 including, but not limited to, the following files:  
4

5 “- a firsttimedick (1).JPG”  
6 “0\_90866800\_1184709699.jpg” and  
“11 yo screw.1.wmv”

7 All in violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1).

9 **COUNT TWO**  
10

11 **DISTRIBUTION OF CHILD PORNOGRAPHY**

12 On or about August 12, 2013, in Tucson, in the District of Arizona, JOHN PETER  
13 VITALE, using any means or facility of interstate or foreign commerce, did knowingly  
14 distribute child pornography, that is, visual depictions, the production of which involved  
15 the use of minors engaging in sexually explicit conduct, as defined in Title 18, United  
16 States Code, Section 2256(2), and which depicted such conduct, which had been shipped  
17 and transported in interstate or foreign commerce by means of computer, or otherwise,  
18 including, but not limited to, the following files:  
19

20 “!!!!3y+baby+penetrated-1.wmv”  
21 “- a firsttimedick (1).JPG” and  
22 “0\_58282100\_1184479809.jpg”

23 All in violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1).

### **COUNT THREE**

## DISTRIBUTION OF CHILD PORNOGRAPHY

On or about September 5, 2013, in Tucson, in the District of Arizona, JOHN PETER VITALE, using any means or facility of interstate or foreign commerce, did knowingly distribute child pornography, that is, visual depictions, the production of which involved the use of minors engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and which depicted such conduct, which had been shipped and transported in interstate or foreign commerce by means of computer, or otherwise, including, but not limited to, the following files:

“- a firsttimedick (1).JPG”  
“(pthc-jho-Lolifuck) 9 yo blondie sucks man off (Sound) NEW 2008.wmv” and  
“1b.jpg”

All in violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1).

## COUNT FOUR

## **POSSESSION OF CHILD PORNOGRAPHY**

On or about October 2, 2013, in Tucson, in the District of Arizona, JOHN PETER VITALE did knowingly possess child pornography, that is, visual depictions, the production of which involved the use of minors, including pre-pubescent minors, engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and which depicted such conduct, that had been mailed, shipped and transported in interstate and foreign commerce by any means, including computer, and which was

produced using materials which had been mailed and shipped and transported in interstate and foreign commerce; that is, JOHN PETER VITALE knowingly possessed on an HP ProBook 4530s laptop computer, (s/n: CNU2133N1D) images of child pornography, including, but not limited to, the following files:

"(pthc frifam lolifuck) Julia 8yo sucks Dads cock (Sound) 2011.mpg  
! new ! (pthc) 2007 tara 8yr - tara gets pissed on.avi  
! best a+p fuck sampler.avi  
!new- 2009 tara 15th-(uncensored at last!)(very selective trade.wmv  
5yo kait dad exctasy.avi  
9 year old jenny full.avi  
baby8suck.avi  
babyl over. Second suck - shes a natural (48s).mp4  
boytied.mpeg

All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and (b)(2).

## COUNT FIVE

## **POSSESSION OF CHILD PORNOGRAPHY**

On or about October 2, 2013, in Tucson, in the District of Arizona, JOHN PETER VITALE did knowingly possess child pornography, that is, visual depictions, the production of which involved the use of minors, including pre-pubescent minors, engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and which depicted such conduct, that had been mailed, shipped and transported in interstate and foreign commerce by any means, including computer, and which was produced using materials which had been mailed and shipped and transported in interstate and foreign commerce; that is, JOHN PETER VITALE knowingly possessed on Gateway

1 computer tower, (s/n: XAB5151005606) images of child pornography, including, but not  
2 limited to, the following files:

3 “IMG\_0500.MOV  
4 sd1 (07).jpg  
5 98-1.jpg  
6 [000928].wmv  
7 4 years.avi

8 All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and  
9 (b)(2).

10 **COUNT SIX**

11 **RECEIPT OF CHILD PORNOGRAPHY**

12 Between the dates of January 2, 2012 and August 24, 2012, in Tucson, in the  
13 District of Arizona, JOHN PETER VITALE using any means or facility of interstate or  
14 foreign commerce, did knowingly receive, child pornography, that is, visual depictions,  
15 the production of which involved the use of a minor engaging in sexually explicit  
16 conduct, as defined in Title 18, United States Code, Section 2256(2), which depicted pre-  
17 pubescent minors and which depicted such conduct, that had been mailed, or otherwise  
18 shipped or transported in or affecting interstate or foreign commerce, by any means  
19 including by computer, including, but not limited to:

20  
21  
22 “rp (78).jpg”  
23 “rp (81).jpg”  
24 “sd1 (06).jpg”  
25 “sd1 (07).jpg”  
26 “sd1 (09).jpg” and  
27 “an1.wmv”  
28

All in violation of Title 18, United States Code, Sections 2252(a)(2) and (b).

A TRUE BILL

/S/

Presiding Juror

JOHN S. LEONARDO  
United States Attorney  
District of Arizona

MAY 06 2015

/S/  
Carin C. Duryee  
Assistant U.S. Attorney

REDACTED FOR  
PUBLIC DISCLOSURE